

**HILLTOWN TOWNSHIP
SUPERVISORS' MEETING
October 24, 1988**

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Robert H. Grunmeier at 7:33 P.M. Chairman Grunmeier requested a moment of silence in memory of George Uhorczik, a member of the Vacancy Board for many years, who passed away on October 22, 1988. Mr. Grunmeier requested that the Township flag be flown at half mast for fifteen days.

Members present were: Robert H. Grunmeier, Chairman
Betty J. Kelly, Vice Chairperson
William H. Bennett, Supervisor

Others present were: James H. Singley, Township Manager
Gloria G. Neiman, Township Secretary
Chief George Egly, Chief of Police
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer

A. APPROVAL OF MINUTES: Chairman Grunmeier asked if a meeting has been set up with the Water & Sewer Authority for discussion of "in-law" suites. Mr. Grabowski suggested that dates could be suggested to the Authority at their meeting this Wednesday (the Board will discuss possible dates after tonight's meeting). There being no other questions or corrections, a motion was made by Mrs. Kelly seconded by Mr. Bennett and carried unanimously to approve the minutes of the 10/10/88 Supervisors' meeting as written.

B. ACCOUNTS PAYABLE: General Fund billing in the amount of \$47,195.17, with a Street Light Fund amount of \$103.40, and State Funds amounts of \$17,669.37 and \$99.90 were approved by the Board. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to pay bills when due.

C. TREASURER'S REPORT: Mr. Singley read the report for the month of October which is on file at the Township office. Motion was made by Mrs. Bennett, seconded by Mrs. Kelly and carried unanimously to accept the report as given, subject to audit.

D. ZONING REPORT: Mr. Singley read the report for the month of September 1988, noting that two cease and desist orders were issued and one citation filed. This report is on file at the Township office.

E. CONFIRMED APPOINTMENTS:

1. Harris Newman - Dr. Newman currently has a site development on County Line Road, a condition of which is to tie in to the Telford Borough Sewer Authority. Due to delays with TBA, with a current projected tie in date of January 1989, and a failing on-site system,

Dr. Newman is requesting the Supervisors allow an amendment to the site development agreement, allowing him to place an interim holding tank on the premises until Telford Borough allows tie in to the system. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to grant an amendment to Dr. Harris Newman's site development agreement provided the interim holding tank receives approval from the Bucks County Department of Health.

2. John Replogle - Mr. Replogle presented further information on the Norway Crimson King Maple tree which he has proposed to use as street trees on his development. Mr. Singley stated that after talking to various landscapers, he has determined that this would not be a good street tree because of its dense foliage and heavy root system; Mr. Wynn indicated he also talked to landscapers with the same result. After further discussion, Mr. Replogle indicated he would pursue another type of tree, possibly a mixture of pin oaks and sugar maples. Mr. Wynn stated that a mixture of two varieties would be preferable.

F. MANAGER'S REPORT:

1. Mr. Singley announced that the Supervisors held a work session prior to tonight's meeting for discussion of personnel matters dealing with contracts and arbitration.

2. Building Update: Project site meeting minutes of 10/12 and 10/19/88 were submitted to the Supervisors. Projected work for this week: Block masonry to be 100% complete by end of week; structural steel to be placed; brick veneer 50% complete; rough paving complete; rear drive entrance stone base; PP&L will begin relocation of utility poles; carpentry preparation and concrete slabs over holding cells. Mr. Wynn reported that one of the sub-contractors dumped soil on the site which may be contaminated (with diesel fuel or gas); tests will be conducted to confirm if contaminated; and if so, DER will be notified. Chairman Grunmeier stated that at the time this new building was discussed, there was also a proposal to construct a maintenance building on this site. He suggested that a pre-fabricated building be considered to house maintenance equipment and that the Township Manager, Chief of Police, Water & Sewer Authority and the Township Roadmaster meet to discuss what size building would be required. The Board agreed to this suggestion.

3. Upper Bucks Consortium: Meeting was held last week; next meeting scheduled for 11/17/88 in Telford; following meeting in Bridgeton in December. Plumstead's membership was accepted at last meeting.

4. Rock Salt Bids: Bid opening held on 10/20/88. Upon Mr. Singley's recommendation (after review of bids), motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to award the rock salt bid to Cargill, Inc. at a cost of \$31.95/Ton.

5. Police Vehicles: Bid opening held on 10/20/88. Upon Mr. Singley and Chief Egly's recommendation (after their review of bids), motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to award the police vehicle bid to A & T Chevrolet, Inc. at a cost of \$14,623.00 (4 vehicles without trade).

6. Community Development Allocation: Pursuant to the C.D. hearing held at the 10/10/88 Supervisor's meeting, Mr. Singley made the following recommendations for use of C.D. 1989-1990 allocation:

- 1) Traffic Light, Route 113 & Diamond - approx. \$60,000;
- 2) Hilltown Historical Society - approx. \$6,000;
- 3) Emergency Outreach - approx. \$1,000;
- 4) Bucks County Housing Group - approx. \$2,000;
- 5) Bucks County Assoc. for Retarded Citizens - approx. \$2,000;
- 6) Zoning Revisions & Ordinance Update - approx. \$6,000.

Mr. Singley stated that these figures would be pro-rated on final authorization of said projects. Motion was made by Mrs. Kelly to accept all six recommendations; motion seconded by Mr. Grunmeier; Mr. Bennett noted his opposition to Item #1 (Traffic Light at Rt. 113 & Diamond); motion carried 2:1.

7. The Board agreed to Mr. Singley's suggestion that information entitled, "Assistance for Better Communities" distributed by the BCPC be sent to members of the PC and the Township Engineer for their review and input.

8. Mr. Singley reported that Mr. Kenneth Bennington, Chairman of the PC, has requested by letter of 10/17/88 that he be permitted to communicate directly with Carter Van Dyke Associates when planning assistance is required for update of the Comprehensive Plan/Zoning Ordinance. Mr. Bennington also requested that the PC be allowed to utilize the office of Mr. Wynn when there are engineering questions. The Board agreed to this provided the Township Manager is kept informed and time records are kept.

9. Letter received from William Beals, submitting his resignation as representative to the Pennridge Wastewater Treatment Authority effective immediately. The Water & Sewer Authority has recommended that Thomas Wynkoop be appointed to this Authority. Chairman Grunmeier stated for clarification, that Mr. Beal's is not resigning from the Water & Sewer Authority, only as a delegate to the Pennridge Wastewater Treatment Authority. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to appoint Mr. Thomas Wynkoop as a delegate to the Pennridge Wastewater Treatment Authority.

10. Police seminars - Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to allow Sgt. Ashby Watts to attend a two-day DARE training course at Camp Pendleton, Virginia Beach, at a cost of \$75.00.

Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to allow Sgt. Miller and Officer Dilworth to attend a Motorcycle Accident Investigation School in Media, PA on November 17th at a cost of \$225 each officer.

11. Resolution #88-39 - Authorizing the Department of Community Affairs to assist in conducting a study of fire protection services with neighboring municipalities to strengthen the volunteer fire service now and in the future. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to adopt Resolution #88-39.

12. Appointment to Zoning Hearing Board - Chairman Grunmeier indicated that four candidates were interviewed for this position: Alan Kindig; Carol Pierce; Larry Woodward; and Jack Fox. Motion was made by Mr. Bennett to appoint Jack Fox to the Zoning Hearing Board; there was no second to this motion. Motion was made by Mrs. Kelly to appoint Alan Kindig to the Zoning Hearing Board; motion seconded by Mr. Grunmeier; motion carried 2:1. Discussion followed: Mr. Bennett stated that he believes Jack Fox to be the most qualified person to fill this position and that it is beneficial to have a member of the Planning Commission on the Zoning Hearing Board; that it is important to have a liason between those boards. Chairman Grunmeier explained that, in his opinion, no member of the Planning Commission should serve on the Zoning Hearing Board; he stated that "the Zoning Hearing Board should be an independent body". Mrs. Kelly agreed with this statement. Chairman Grunmeier stated that letters should be sent to applicants who applied and to Mr. Alan Kindig regarding his appointment.

G. ENGINEERING/PLANNING:

1. Caroline Bergen Final Revised Plan - Chris Schubert was present on behalf of Mr. Roach. Mr. Wynn explained that the plans were revised after condemnation by HTWSA of a portion of the ground, reducing the number of lots from 36 to 33 and increasing the need for open space area (this was accomplished by eliminating 3 lots). Mr. Wynn indicated on the plan the area condemned by HTWSA. He explained that the plan was revised to show existing house and barn which will remain; equipment shed will be removed; to increase the amount of open space and to show area of existing improvement of HTWSA well house. Mr. Wynn explained that a concern was raised by a resident of the Township concerning the process by which the Authority originally condemned this portion of ground owned by Mr. Endslo, and then relinquished the condemnation to Mr. Roach. PC recommended approval subject to verification by the Solicitor that this was performed in a proper manner. PC also recommended additional notes on the plan of fence and other improvements, including existing 10' easement to Seidel property in rear with site capacity calculations adjusted accordingly. PC recommendation also based on Engineer's review of 10/3/88 which included the following requirements: 1) extraneous number of site capacity calculations to be removed from the plan; 2) Sheet #8, revisions to plan require additional landscaping not shown on plans; 3) Sheet #1, Note #10, average lot area shown incorrectly; 4) Proposed name of street, Endslo Lane, must be approved by Board; 5) Final approval and verification from HTWSA for water and sewer lines and legal descriptions and dedication of right-of-way and dedication of open space, in addition to development agreement for public improvements. Chairman Grunmeier requested clarification from the Township Solicitor regarding condemnation proceedings. Mr. Grabowski advised that the condemnation and transfer of ground by the Water & Sewer Authority was performed properly and all documentation is in order and in accordance with the law. In answer to Mr. Bennett's question

regarding total area of open space, Mr. Wynn replied that open space totals 32.44 acres and indicated areas of same on the plan. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to approve the final plan of the Caroline Bergen Subdivision on the recommendation of the PC, with stipulation stated by the Township Solicitor that everything is in order regarding the condemnation and subsequent relinquishment of the condemnation of the well site, and subject to recommendations stated in the 10/3/88 Township Engineer's review letter.

2. Country Square Land Development - located on Route 313, south of Route 113 - 2 buildings proposed: one 12,000 s.f. and one 7,000 s.f., to be serviced by on-site sewer and water. Applicant has indicated that he will be granting an extension, however, none has been received to date. Clarification of use is required -- truck sales and parts sales for one building; retail sales proposed for the other building (PC advised this would constitute a shopping center); applicant agreed to change use to office building. Based on PC's recommendation, motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to deny the Country Square Land Development plan based on the Township Engineer's review of 9/30/88 and BCPC review dated 9/14/88, unless an extension is received in writing prior to the deadline of 11/13/88.

3. George Baker Subdivision - located on Route 113 cul-de-sac street and eight residential lots, connection to public water proposed (although public water is not available in front of this site); connection to public sewer also proposed (by way of a pumping station to the Hilltown Township system - BCPC endorsed extension of public sewer to the RR District). Mr. Wynn advised that this area is within the Telford Borough Authority jurisdiction and outside of the proposed extension area; applicant has indicated that the site will not perc and there is no alternative. Based on PC's recommendation, motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to deny the George Baker Subdivision plan, based on Township Engineer's review dated 9/14/88 and BCPC review dated 9/14/88, unless an extension in writing is received.

4. H & L Subdivision - preliminary plan proposes 5 new building lots and two 10 acre flag lots and three 5 acre+ lots, located on Schwenk Mill Road. Due to problems with wetlands and a central water system, number of lots has been reduced from original sketch plan. PC recommended approval subject to: 1) improvements along Schwenk Mill Road; 2) installation of public improvements; 3) guarantee of escrow agreement; 4) dedication of Schwenk Mill Road right-of-way; 5) preparation of flood plain/wetlands easement to Hilltown Township; and 6) confirmation of approval, or lack of need of approval, for a wetlands permit. There followed discussion regarding possible wetlands involvement; Chairman Grunmeier expressed his concern and stated that he would like to view the site prior to making a decision; Mrs. Kelly and Mr. Bennett agreed. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to deny the H & L Subdivision preliminary plan until the Supervisors have had an opportunity to view the area in relation to the wetlands issue.

5. Garges Subdivision - located on Stump Road. Motion made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to accept the 90 day extension offered by the applicant to permit further review of the plan.

6. PennDOT has notified all municipalities of a change in policy -- they will no longer officially review preliminary plans for access onto state roads. PennDOT has stated they must have an approved plan before they will submit written reviews; they will, however, allow informal discussions.

7. Rex Subdivision - located on Upper Stump Road - wearing course and grading has not been accomplished on driveways on 3 lots. Mr. Wynn requested the Board's permission to pursue this matter with Mr. Rex and to find Mr. Rex in default of his agreement so that the Township can complete the subdivision improvements if he fails to do so prior to 11/05/88. Motion was made by Mr. Bennett, seconded by Mrs. Kelly to find Mr. Rex in default of his subdivision agreement if work is not completed prior to 11/05/88.

H. SOLICITOR'S REPORT:

1. Souderton Square Site Development - Agreements have been signed and escrow funds guaranteed in the amount of \$133,705.00. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to authorize execution of site development agreements for the Souderton Square Site Development.

2. Harris Newman Site Development - Agreements have been signed and \$12,990.00 has been deposited directly with the Township to guarantee public improvements. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to authorize execution of the site development agreement for the Harris Newman Site Development.

3. Showalter Subdivision - Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to adopt Resolution #88-40, Acceptance of Deed of Dedication and Resolution #88-41, Dedication of Public Purpose for the Showalter Subdivision.

4. Bux-Mont Litigation - Mr. Grabowski reported that Bux-Mont has filed an application for re-argument, which was denied by order dated 10/7/88, and that there is a 30 day appeal period from this order in which Bux-Mont may file a petition with the PA Supreme Court.

5. Mr. Grabowski requested an executive session after this meeting to discuss pending litigation.

I. RESIDENT'S COMMENTS:

1. Timothy Browning, 424 Route 152, Perkasio - Mr. Browning questioned zoning of the well site prior to its being given back to Roach. Mr. Wynn answered that there was never any question of zoning; that it was the same before, during and after the well condemnation -- Rural Residential. Mr. Browning argued that it could not be used for open space. Mr. Grabowski disagreed and stated that it is a permitted use.

2. William Godek, Broad Street - Mr. Godek questioned repair of Broad Street -- Mr. Singley advised that wearing course would be applied Tuesday morning. Mr. Godek questioned if area around the curve would be completed; Chairman Grunmeier stated that according to the Township Roadmaster, there would be a temporary topping placed on the road for the winter, with completion in spring.

J. CORRESPONDENCE

1. Hilltown Civic Association will meet 10/25/88 at the Good Shepherd Episcopal Church; they will be having a public forum with Rep. Kostmayer, Edward Howard and Donald Ernsberger, also Jean Wilson and Rep. Paul Clymer.

2. Pierce Library Association sent a letter thanking the Supervisors for their contribution; library building is near completion and will be dedicated on 11/13/88; Supervisors are invited to attend the ceremonies beginning at 12:00 Noon.

3. Letter received from Pennridge Community Day, Inc. thanking the Supervisors for their cooperation and support, and advising appointment of Ken Cressman as Chairman and Cheryl Youtz as Treasurer of the organization.

4. Letter received from Goodtimers N.Y.A. regarding an invitation to participate in the Pennridge Christmas Parade on 12/3/88 (rain date of 12/4/88). Chairman Grunmeier suggested that candy be purchased for distribution to the children.

5. Report received from Bunny's Animal Shelter, advising that five dogs were euthenized or died during the quarter ending 9/30/88. Mr. Singley will request names and updated list.

K. SUPERVISOR'S COMMENTS:

1. Mrs. Kelly reported that she attended a Solid Waste Meeting on Wednesday, 10/19/88; however, there was not sufficient attendance to conduct the meeting.

2. Mr. Bennett reported that he made several telephone calls to EPA in order to receive information regarding disposal of large appliances. EPA advised that they are working on this problem.

3. Chairman Grunmeier questioned status of '82 Chevy which has been stored at Rodger's Garage for some time. The Board agreed to advertise this car for bid.

4. Chairman Grunmeier also reported that road inspection was held on Saturday, 10/22/88, and that everything appears to be satisfactory.

5. Chairman Grunmeier requested the Board's opinion regarding fencing of swimming pools. The Board agreed to Mr. Grunmeier's suggestion that the Township Solicitor and Zoning Officer draw up a proposed ordinance for the Supervisors' review. Mr. Bennett suggested that fencing of ponds also be considered. The Board discussed this and agreed that fencing of existing swimming pools should be addressed.

6. Chairman Grunmeier stated that he has received complaints on weeds at the west side of Keystone Drive, near the intersection with Old Rt. 309.

7. Chairman Grunmeier also indicated that West Rockhill Township will be holding a meeting regarding Cable TV on 11/10/88 -- Supervisors to advise if they are interested in attending.

PRESS CONFERENCE: At this time a conference was held to answer questions of those reporters present.

There being no further business, a motion of adjournment was made by Mrs. Kelly at 9:13 P.M.

Respectfully submitted,



Gloria G. Neiman
Township Secretary